

CONSENT AGENDA

March 09, 2009

A. APPROVAL OF MINUTES

**1. SUBJECT: APPROVAL OF MINUTES
DATED DECEMBER 15, 2008**

ISSUE/PURPOSE: The above listed minutes are before the Board for approval. See TAB **B**.

B. APPROPRIATIONS AND TRANSFERS

1. SUBJECT: SHERIFF – RECOVERED COSTS

**A-FY-09-
SHERIFF
RECOVERED COSTS**

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2009, for the function and in the amount as follows:

310	Sheriff – Compensation Board	\$2,508
320	Sheriff – County	\$1,300
321	Sheriff –DMV Grant	<u>\$5,000</u>
	Total	\$8,808

The sources of the funds for the foregoing appropriation are as follows:

<u>Revenue Account</u>		
419108	Recovered Costs	\$3,808
424401	DMV Grant	<u>\$5,000</u>
	Total	\$8,808

Said resolution appropriates recovered costs and grant funds for use by the Sheriff's department.

ISSUE/PURPOSE: Appropriates funds from recovered costs for the following:

Restitution	\$760
Extradition	\$250
Security	\$645
Court ordered drug tests	\$360
Overpayment	\$1,793
DMV Grant	<u>\$5,000</u>
Total	\$8,808

The DMV Grant is a highway safety grant and will be used for overtime for law enforcement on I-81. There is no local cash match.

2. **SUBJECT: COUNTY ATTORNEY - TRANSFER FROM GENERAL CONTINGENCIES (Balance in General Contingencies before this Resolution is \$339,400)**

**A-FY-09-
COUNTY ATTORNEY
TRANSFER FROM GENERAL CONTINGENCIES**

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that a transfer of appropriation is hereby authorized, as follows:

FROM:

950 General Contingencies (\$50,000)

TO:

120 County Attorney \$50,000

Said resolution transfers appropriated funds from General Contingencies to the County Attorney to cover the cost of professional services.

ISSUE/PURPOSE: This resolution transfers \$50,000 from general contingencies to provide funds necessary to cover the cost of professional services for the County Attorney. Sufficient funds do not exist in the budget to cover these costs.

C. **EASEMENT REQUEST**

1. **SUBJECT: AMERICAN ELECTRIC POWER REQUEST
FOR EASEMENT**

**R-FY-09-
AMERICAN ELECTRIC POWER REQUEST
FOR A TEMPORARY POWER LINE EASEMENT
FOR THE NEW ELLISTON/SHAWSVILLE ELEMENTARY SCHOOL**

BE IT RESOLVED, The Board of Supervisors of the County of Montgomery, Virginia hereby authorizes the conveyance of a right-of-way easement across property owned by Montgomery County, identified as Parcel # 072-156A, to provide temporary overhead power lines to service to the new Elliston/Shawsville Elementary School.

BE IT FURTHER RESOLVED, That the Chair of the Board of Supervisors is hereby authorized to execute the above referenced temporary right-of-way easement to American Electric Power on behalf of the Board of Supervisors.

ISSUE/PURPOSE: American Electric Power is requesting an easement for a temporary overhead power line across school property to service the new Elliston/Shawsville Elementary School Construction Project. TAB C includes a copy of AEP's easement agreement and plat and a copy of the School Board's request that an easement be granted.

D. **ROADS**

1. **SUBJECT: RURAL RUSTIC ROAD DESIGNATION**

**R-FY-09-
DESIGNATE WOODROW ROAD (SR 644) AS
A RURAL RUSTIC ROAD**

WHEREAS, Section 33.1-70.1 of the Code of Virginia permits the improvement and hard surfacing of certain unpaved roads deemed to qualify for designation as a **Rural Rustic Road**; and

WHEREAS, Any such road must be located in a low-density development area and have a minimum of 50 vehicles per day (vpd), and have no more than 1000 vpd; and

WHEREAS, The Board of Supervisors of Montgomery County, Virginia desires to consider whether **Woodrow Road (SR 644)**, From: Route 1435 To: 0.33 miles east of Route 1435 should be designated a Rural Rustic Road; and

WHEREAS The Board is unaware of pending development that will significantly affect the existing traffic on the road; and

WHEREAS, The citizens that utilize this road have been made aware that this road may be paved with minimal improvements; and

WHEREAS, The Board believes that this road should be so designated due to its qualifying characteristics and will endeavor to retain these characteristics through its comprehensive planning process.

NOW, THEREFORE, BE IT RESOLVED, The Board hereby designates this road a **Rural Rustic Road** and requests that the Residency Administrator for the Virginia Department of Transportation concur in the designation.

BE IT FURTHER RESOLVED, The Board requests that this road be hard surfaced and, to the fullest extent prudent, be improved within the existing right-of-way and ditch lines to preserve as much as possible the adjacent trees, vegetation, side slopes, and rural rustic character along the road in the current state.

BE IT FURTHER RESOLVED, That a certified copy of this resolution be forwarded to the Residency Administrator for the Virginia Department of Transportation.

ISSUE/PURPOSE: Designate Woodrow Road (SR 644) as a Rural Rustic Road.

JUSTIFICATION: This road is listed in the Board's FY 2008-2009 Revenue Sharing Program for \$25,000 to surface treat the existing roadway. See TAB **D** for an e-mail from David Clarke advising that VDoT is ready to begin work on the road and requesting the BoS to designate it as Rural Rustic.

E. **PUBLIC UTILITY EASEMENT VACATION**

**1. SUBJECT: PUBLIC UTILITY EASEMENT –
ELLISTON/SHAWSVILLE
ELEMENTARY SCHOOL**

**R-FY-09-
A RESOLUTION AUTHORIZING THE VACATION OF
A 15' PUBLIC UTILITY EASEMENT AND THE DEDICATION OF
A SANITARY SEWER AND WATER EASEMENT AND
A PUMP STATION PARCEL TO
THE MONTGOMERY COUNTY PUBLIC SERVICE AUTHORITY
IN ORDER TO PROVIDE UTILITY SERVICE TO
THE NEW ELEMENTARY SCHOOL IN EASTERN MONTGOMERY COUNTY**

WHEREAS, The Board of Supervisors purchased twenty (20) acres from Fotheringay, LLC Tax Parcel 72 (1) 56A (“the Property”) adjacent to Rt. 11/460 in Eastern Montgomery County in order to construct a new elementary school; and

WHEREAS, In order to provide water and sewer to the new elementary school site, the Board of Supervisors need to dedicate a Sanitary Sewer and Water Easement 0.151 acres in size and a pump station parcel (Shown as New Parcel “A”) as shown more particularly on the attached plat entitled “Plat of Easement Dedication/Vacation and Parcel Dedication On Tax Parcel 72(1)56A For The Montgomery County Board of Supervisors” (hereinafter referred to as “the Dedication Plat”); and

WHEREAS, The Board needs to also vacate an existing 15’ Public Utility Easement on the Property as shown on the Dedication Plat that is no longer needed to develop the site.

NOW, THEREFORE, BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia, that the Board of Supervisors hereby dedicates and conveys to the Montgomery County Public Service Authority 0.151 acre Sanitary Sewer and Water Easement and New Parcel “A” to locate a pump station as shown on the attached Dedication Plat; and

BE IT FURTHER RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the Board of Supervisors hereby vacates the 15’ Public Utility Easement as shown on the attached Dedication Plat; and

BE IT FURTHER RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia that the Board of Supervisors hereby authorizes B. Clayton Goodman, III, County Administrator to execute on behalf of the County all the necessary documents to dedicate the easement and pump station parcel and to vacate the public utility easement.

ISSUE/PURPOSE: A resolution authorizing the vacation of a 15' public utility easement and the dedication of a sanitary sewer and water easement and a pump station parcel to the Montgomery County Public Service Authority in order to provide utility service to the new elementary school in eastern Montgomery County. See TAB **O** for a copy of the dedicated plat.

F. APPOINTMENTS

**1. SUBJECT: ECONOMIC DEVELOPMENT COMMISSION
(Town of Blacksburg Representative)**

**R-FY-09-
ECONOMIC DEVELOPMENT COMMISSION
APPOINTMENT**

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby reappoints **A. T. Leighton, Jr.** as the Town of Blacksburg representative to the **Montgomery Regional Economic Development Commission** effective March 10, 2009 and expiring March 9, 2012.

JUSTIFICATION: Blacksburg Town Council approved the recommendation for Al Leighton's reappointment as Blacksburg's representative on the Economic Development Commission. See TAB **E** for copy of a letter from the Town of Blacksburg.

2. SUBJECT: PLANNING COMMISSION
(2 Appointments)

**R-FY-09-
PLANNING COMMISSION**

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby reappoints **Francis R. Lau** to the **Montgomery County Planning Commission** effective March 10, 2009 and expiring March 9, 2013.

**R-FY-09-
PLANNING COMMISSION**

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby reappoints **Walt Haynes** to the **Montgomery County Planning Commission** effective March 10, 2009 and expiring March 9, 2013.

3. SUBJECT: TRANSPORTATION SAFETY COMMISSION
(2 Appointments)

**R-FY-09-
TRANSPORTATION SAFETY COMMISSION
APPOINTMENT**

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby reappoints **Rebecca Mummau** to the **Transportation Safety Commission** effective March 10, 2009 and expiring March 9, 2012.

JUSTIFICATION: See TAB **F** for copy of a letter from Tiffany Anderson, Superintendent, MCPS, supporting Ms. Mummau's reappointment to the Transportation Safety Commission as representative for MCPS.

**R-FY-09-
TRANSPORTATION SAFETY COMMISSION
APPOINTMENT**

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby reappoints **Malvin L. Wells** to the **Transportation Safety Commission** effective March 10, 2009 and expiring March 9, 2012.

JUSTIFICATION:

A letter was sent to Mr. Wells on February 10, 2009 asking him if he was interested in reappointment to the Transportation Safety Commission. Mr. Wells responded in an e-mail on February 17, 2009 that he was interested in reappointment. A copy of Mr. Wells' e-mail is included in TAB **G**.

G. VACO STEERING COMMITTEES

- 1. SUBJECT: SUPERVISOR MARY BIGGS –
VACO'S EDUCATION STEERING COMMITTEE,
VACO/VML STUDY TASK FORCE
COMMITTEE, AND 2009 VACO NOMINATIONS
COMMITTEE**

**R-FY-09-
SUPERVISOR MARY BIGGS
VACO EDUCATION STEERING COMMITTEE
VACO/VML STUDY TASK FORCE COMMITTEE
AND 2009 VACO NOMINATIONS COMMITTEE**

WHEREAS, Supervisor Mary W. Biggs has been invited to serve on the Virginia Association of Counties (VACo) Education Steering Committee, VACo/VML Study Task Force Committee and the Nominations Committee for calendar year 2009.

NOW, THEREFORE, BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia endorses Supervisor Biggs' participation on the Education Steering Committee, VACO/VML Study Task Force Committee, and the 2009 Nominations Committee.

BE IT FURTHER RESOLVED, The Board of Supervisors authorizes the County Administrator to reimburse Supervisor Biggs for expenses arising from attendance at committee meetings.

ISSUE/PURPOSE:

To endorse Supervisors Biggs' participation on the above VACo Steering Committees.

2. **SUBJECT: SUPERVISOR ANNETTE PERKINS
VACO'S CONFERENCE PLANNING
COMMITTEE, EDUCATION
COMMITTEE AND RESOLUTIONS
COMMITTEE**

**R-FY-09-
ANNETTE S. PERKINS
VACO EDUCATION STEERING COMMITTEE,
CONFERENCE PLANNING COMMITTEE
AND RESOLUTIONS COMMITTEE**

WHEREAS, Supervisor Annette S. Perkins has been invited to serve on the Virginia Association of Counties' (VACo) Education Steering Committee as Chair, Conference Planning Committee, and Resolutions Committee for calendar year 2009.

NOW, THEREFORE, BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia endorses Supervisor Perkins' participation on the Education Committee, Conference Planning Committee, and Resolutions Committee.

BE IT FURTHER RESOLVED, The Board of Supervisors authorizes the County Administrator to reimburse Supervisor Perkins for expenses arising from attendance at committee meetings.

ISSUE/PURPOSE: To endorse Supervisors Perkins' participation on VACo's Education Steering Committee, Conference Planning Committee and Resolutions Committee for 2009.

3. **SUBJECT: SUPERVISOR DOUG MARRS –
VACO'S TRANSPORTATION STEERING
COMMITTEE**

**R-FY-08
DOUG MARRS
VACO TRANSPORTATION STEERING COMMITTEE**

WHEREAS, Supervisor Doug Marrs has been invited to serve on the Virginia Association of Counties' (VACo) Transportation Steering Committee for calendar year 2009.

NOW, THEREFORE, BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia endorses Supervisor Marrs' participation on the Transportation Steering Committee.

BE IT FURTHER RESOLVED, The Board of Supervisors authorizes the County Administrator to reimburse Supervisor Marrs for expenses arising from attendance at committee meetings.

ISSUE/PURPOSE: To endorse Supervisors Marrs' participation on VACo's Transportation Steering Committee.